

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested. Claims 1-16 and 18-19 are pending in the current application. Of those, claims 1, 18, and 19 are independent claims. Amendments to claims 15 and 16 have been made in response to the rejections mentioned below. Claim 17 has been cancelled without prejudice or disclaimer. The remaining claim amendments are non-narrowing and are not made for reasons of patentability or to overcome any prior art or any other statutory considerations. Support for these claim amendments may be found in pages 6 and 7 of the specification.

Claim Rejections under 35 U.S.C. § 101

Claim 17 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicants note that claim 17 have been canceled as part of this Amendment rendering this rejection moot.

Claims 15-16 are rejected under 35 U.S.C. §101 (b) because the claims were also directed to non-statutory subject matter. Applicants have amended these claims taking into account the Examiner's comments rendering the rejections moot.

In view of the above, Applicant respectfully requests the rejections under 35. U.S.C. § 101 be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1-19 are rejected under 35 U.S.C. §102(b) as being anticipated by Peters (US 5,705,334). Applicants respectfully traverse this rejection for the reasons detailed below.

In rejecting claim 1, the Examiners asserts that the enhancement technique of Peters teaches “*combining at least one of the first CT image and the at least one processed CT image, whereby an enhanced CT image is provided, the combining being based on a classification with respect to intensity values of regions within the first CT image and the at least one processed CT image.*” Applicants disagree.

Peters illustrates an enhancement technique for processing digital images based on hysteresis filtering, providing one hysteresis image from an original image. (see col. 11-12) In the hysteresis filtering, a new intensity value is calculated based on the relative intensity values of proximity pixels in relation to a cursor. The intensity value is, therefore, calculated while moving the cursor and involves, *inter alia*, a threshold referred to as the intensity height of the cursor. (see col. 13-14) Accordingly, in Peters, a differential image is formed by differential hysteresis processing of subtraction of the hysteresis image from the original image (see col. 30).

However, according to Peters, the combination of the differential image and the hysteresis image the first image is performed by simply **adding**, and not “**combining being based on a classification with respect to intensity values of regions within the first CT image and the at least one processed CT image**” (see Peters claim 1, col. 33-34, and Fig. 26).

For at least the foregoing reasons, Peters fails to disclose or fairly suggest “*combining at least one of the first CT image and the at least one processed CT image, whereby an enhanced CT image is provided, the combining being based on a classification with respect to intensity values of regions within the first CT image and the at least one processed CT image*” as required by claim 1.

Accordingly, Peters fails to teach each and every element of independent claim 1, and therefore, Peters does not anticipate claim 1.

As to dependent claims 2-16, Applicants submit that these claims are patentable at least by the virtue of their dependency upon amended independent claim 1.

Claims 18 and 19 contain features somewhat similar to those discussed above in regard to claim 1, and therefore, claims 18 and 19 are patentable for at least somewhat similar reasons as claim 1 (noting that claims 18 and 19 should be interpreted **solely** based upon limitations set forth therein).

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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